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January 14, 2015

**BY ECF**

Hon. Cathy Siebel  
United States District Judge  
The Hon. Charles L. Brieant Jr.  
Federal Building and United States Courthouse  
300 Quarropas St.  
White Plains, NY 10601-4150

Re: Marrow v. The City of Mount Vernon, 7:14-cv-05473 (CS)

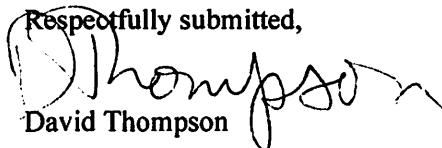
Dear Honorable Judge Siebel:

I write as counsel for the plaintiff in the above-captioned case.

Generally, a federal Court is loathe to hold a municipality in default, and with that in mind the plaintiff does not object to the grant of a reasonable time for the defendants to answer the Complaint. I don't believe, however, that there is any basis to the defendants' claim that I "stipulated" to file a new complaint.

However, the plaintiff will abide by the substance of what was previously agreed. For clarity, the plaintiff agrees to strike the reference to the Fifth Amendment in paragraph 37 of the Complaint, and to strike the 5<sup>th</sup> claim for relief (paragraphs 73-77). I believe that with this understanding reflected in writing on the record, there should be no difficulty for the defendants to answer the Complaint in its current form.

The plaintiff understands from the defendants' letter that the defendants are not seeking leave to file a motion to dismiss. The plaintiff would oppose such a request were it to be made.

Respectfully submitted,  
  
David Thompson